

## **FREQUENTLY ASKED QUESTIONS**

### **How can I get forms and instructions?**

Forms and instructions are available:

- Online at [www.revenue.ky.gov/forms](http://www.revenue.ky.gov/forms)
- By writing FORMS, Kentucky Department of Revenue, Frankfort, KY 40620
- Call 502-564-3658

### **Where do I mail my return?**

Refunds- Kentucky Department of Revenue, Frankfort, KY 40618-0006

Payments- Kentucky Department of Revenue, Frankfort, KY 40619-0008

### **How can I check the status of my individual income tax refund?**

Taxpayers can check the status of their individual income tax refund on line at [www.revenue.ky.gov/refund](http://www.revenue.ky.gov/refund) or by calling our automated telephone system at 502-564-1600. You will need to have the primary social security number listed on the return and the exact amount of refund requested. Both resources will be available 24 hours a day, 7 days a week and are updated nightly to reflect the latest information on processed returns.

### **How long does it take to receive my refund if I file electronically and use direct deposit?**

The average processing time for electronically filed returns is up to 21 days if your return is error free. If we find errors on the return, we will correct the amount of the refund and issue a paper check detailing the reason for the adjustment. It is very important to make sure you use the correct mailing address, including apartment number, as that is where your check will be mailed.

### **Why did I receive a paper check for my refund instead of a direct deposit as requested on my state return?**

There are various reasons why an individual may not receive his/her income tax refund through direct deposit even though it was requested to be a direct deposit on the electronically filed return. If a problem does occur with the direct deposit, then the Department will issue a paper check. Below are common reasons:

1. The required 9-digit routing number was incorrect or missing.
2. The designated account number was invalid or the account was closed.

3. An individual's refund may have been intercepted due to money owed to another agency. In this case the refund would go to the agency owed to satisfy the debt. If the refund is more than the debt the refund balance will be sent in the mail to the taxpayer.
4. There was an error on the return that changed the refund amount.

If you have reason to believe the direct deposit will be rejected by the bank due to incorrect account information or the account being closed, it can take up to 6 weeks for the department to receive the funds back and issue a paper check.

If you or your tax preparer inadvertently entered the banking information incorrectly you will have to provide the Department with additional information.

### **If I file a paper return how long will it take to get my refund?**

Paper Returns may take approximately 8 to 12 weeks to process. If you have already checked the status of your refund and have been given a mailed date, please allow 5 to 7 business days from that date for delivery.

### **How do I change my mailing address?**

You can do one of the following:

Mail a copy of Federal Form 8822 to our office at:

**Department of Revenue,  
P. O. Box 181 Station # 56,  
Frankfort KY 40601**

Email us at [KRC.WEBResponseIndividualIncome@ky.gov](mailto:KRC.WEBResponseIndividualIncome@ky.gov)

Contact the Department of Revenue at (502) 564-4581

### **If I owe tax on my return, can I pay it over the phone?**

Yes. We do have an electronic pay system that allows us to accept electronic payments.

### **Can I pay my individual income taxes on line?**

You can pay current year individual income tax on line as long as it is paid before the due date of the return. Go to [www.revenue.ky.gov](http://www.revenue.ky.gov). **Estimated tax payments cannot be paid on line at this time.**

**Can I set up a pay agreement if I am unable to pay the tax in full on my current year return?**

Yes. Pay agreements are handled by the Division of Collections. They can be reached at (502)564-4921 ext. 5354.

**Do I need to attach my Federal Return when I file the Kentucky Return?**

You must attach a complete copy of your federal return if you received farm, business, or rental income or loss.

**Can you tell me how to file my federal return or about my federal refund?**

We are not able to assist you with the completion of a federal return. you may however contact the IRS at 1-800-829-1040 or [www.irs.gov](http://www.irs.gov) for assistance.

**I just received another W2 but I have already filed my return, what do I need to do?**

If you have already filed a return and have now received an additional W2, you must file an amended return to correct the original filing. This **cannot** be done electronically; you must print and complete form 740-X and/or form 740-NP depending on your resident status and mail it to the Department of Revenue for processing. Amended returns are currently taking 4-6 months to process.

**What is this 1099 G I received from the Department of Revenue?**

A 1099 G document was mailed to you and the Internal Revenue Service (IRS) to report the amount of refund you received from the Kentucky Department of Revenue. This document reflects the amount of refund and the year in which it was issued.

The Internal Revenue Service (IRS) requires government by law agencies to report certain payments made during the year, because these payments may be taxable income for the recipients.

**Can I file an injured spouse form?**

**Kentucky does not recognize the federal injured spouse form.** Income tax refunds may be withheld by the department if the taxpayer owes money to the Kentucky Department of Revenue, another state agency or the Internal Revenue Service. Kentucky law requires the offset of the entire refund if a joint return is filed. **If a spouse wants to keep his/her tax liabilities separate, each must file a separate tax form.**

**Can a dependent child claim her/himself on her/his Kentucky individual income tax return even though she/he is claimed as a dependent on her/his parents' federal and state income tax returns?**

**Yes!** Kentucky law differs from federal law. Kentucky law permits dependents that are claimed on their parents' tax returns to claim themselves on their Kentucky income tax return.

**What Insurance Premiums and/or Medicare payments can I exclude on Schedule M?**

The only payments you can exclude are:

1. Payments made with taxable dollars (COBRA qualifies)
2. Medicare Type B payments

Payments with pre-tax dollars are not an allowable subtraction.

**What is Use Tax? Why is it on the Individual Return?**

A 6 percent (6%) use tax may be due if you make out-of-state purchases for storage, use or other consumption in Kentucky and did not pay at least 6 percent state sales tax to the seller at the time of purchase. For example, if you order from catalogs, make purchases through the Internet, or shop outside Kentucky for items such as clothing, shoes, jewelry, cleaning supplies, furniture, computer equipment, software, office supplies, books, souvenirs, exercise equipment or subscribe to magazines, you may owe use tax to Kentucky. It is important to remember that use tax applies only to items purchased outside Kentucky, including another country, which would have been taxed if purchased in Kentucky.

In addition to the use tax line on the sales and use tax returns (Forms 51A102 and 51A103, line 23a) and the consumer's use tax return (Form 51A113) for businesses, other options exist for individuals to report their use tax, such as:

1. Consumer Use Tax Return - Form 51A113(O) (9K), may be filed during the year each time you make taxable purchases; or
2. You can report and pay use tax on an annual basis at the same time you file your Kentucky individual income tax return.
3. Collection of use tax is required by county clerks on tangible personal property purchased out-of-state and offered for titling or first-time registration in Kentucky.

**Credit Against the Kentucky Use Tax Due** - You may reduce or eliminate the amount of Kentucky use tax due by the amount of a different state sales tax paid on the same property to the out-of-state seller. The reduction may not exceed the amount of Kentucky use tax due on the purchase. For example, if Georgia state sales tax of 4 percent is paid, only the additional 2 percent is due to Kentucky, or if Illinois state sales tax of 6.25 percent is paid, no additional Kentucky use tax is due. Sales tax paid to a city, county or country cannot be used as a credit against the Kentucky use tax due.

## **What is a Fiduciary?**

The term fiduciary applies to a person who occupies a position of special confidence toward another, who holds in trust property in which another person has the beneficial title or interest, or who receives and controls income of another (*per the 2008 U.S. Master Tax Guide*)

A return must be filed by the following:

- Every resident estate with gross income for the taxable year of \$1,200 or more; and every resident trust with gross income for the taxable year of \$100 or more.
- Every nonresident estate with gross income for the taxable year from Kentucky sources of \$1,200 or more; and every nonresident trust with gross income for the taxable year from Kentucky sources of \$100 or more.